

MAINE STATE LEGISLATURE

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EIGHTIETH LEGISLATURE

HOUSE

NO. 85

House of Representatives, Feb. 10, 1921.

Referred to Committee on Agriculture and 1000 copies ordered printed. Sent up for concurrence.

CLYDE R. CHAPMAN, Clerk.

Presented by Mr. Smith of Skowhegan.

STATE OF MAINE

IN THE YEAR OF OUR LORD ONE THOUSAND
NINE HUNDRED AND TWENTY-ONE

AN ACT to Amend Section Eight of Chapter Thirty-six of the Revised Statutes, Relating to Adulterated, Misbranded, or Inferior Commercial Fertilizers.

Be it enacted by the People of the State of Maine, as follows:

Section 1. Section eight of chapter thirty-six of the revised statutes is hereby amended by adding to the first sentence, the words following, 'and shall also file with the commissioner of agriculture a complete formula, stating the sources from which the nitrogen, phosphoric acid and potash are derived', so that said section as amended shall read as follows:

'Sect. 8. Sale and manufacture of commercial fertilizer,

2 regulated; registration fee. 1911, c. 119, § 7. 1913, c. 140,
3 § 1. Any person who shall manufacture, sell, distribute,
4 transport, offer or expose for sale, distribution or trans-
5 portation in the state any commercial fertilizer shall before
6 so doing file with the commissioner of agriculture for each
7 and every fertilizer bearing a distinguishing name or trade-
8 mark, a certified copy of the statements named in section
9 six, and shall also file with the commissioner of agriculture
10 a complete formula, stating the sources from which the
11 nitrogen, phosphoric acid, and potash are derived. Said
12 certified copy shall be accompanied when said commissioner
13 shall so request with a sealed package containing not less
14 than two pounds of the commercial fertilizer. The person
15 who shall file said certificate shall pay annually to the com-
16 missioner of agriculture a registration fee as follows: Ten
17 dollars each for the nitrogen and the phosphoric acid and
18 five dollars for the potash, contained or said to be contained
19 in the fertilizer, this fee to be assessed on any brand offered
20 for sale, distribution or transportation in the state. When-
21 ever any person shall have filed said certificate and paid said
22 registration fee, no other person shall be required to file
23 such statement or pay such fee.'

Sect. 2. Section thirteen of chapter thirty-six of the re-
2 vised statutes is hereby amended by adding after the twenty-
3 eighth line the words following:

'Fourth. If the formula required by section eight be not
2 filed with the commissioner of agriculture, before such brand

3 is manufactured, transported, distributed, sold, offered or
4 exposed for sale.

Fifth. If the commercial fertilizer manufactured, trans-
2 ported, distributed, sold, offered or exposed for sale differs
3 materially with the formula filed under the provisions of
4 section eight.'

So that that part of section thirteen, "In case of Com-
2 mercial Fertilizer:", etc., as amended shall read as follows:

'In Case of Commercial Fertilizer:

First. If any package fail to bear all the statements re-
2 quired by section six.

Second. If the printed statements required by section six
2 to be affixed to the package differ from the statement re-
3 quired by section eight.

Third. If any brand is manufactured, distributed, trans-
2 ported, sold, offered or exposed for sale, distribution or
3 transportation upon which the registration fee required by
4 section eight has not been paid.

Fourth. If the formula required by section eight be not
2 filed with the commissioner of agriculture, before such brand
3 is manufactured, transported, distributed, sold, offered or
4 exposed for sale.

Fifth. If the commercial fertilizer manufactured, trans-
2 ported, distributed, sold, offered or exposed for sale differs
3 materially with the formula filed under the provisions of
4 section eight.'